

Message Text

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ORIGIN OES-07

INFO OCT-01 ISO-00 /008 R

66011
DRAFTED BY OES/OFA/FA:GCNELSON
APPROVED BY OES/OFA/FA:GCNELSON
-----066342 110930Z /21

R 110130Z MAY 78
FM SECSTATE WASHDC
INFO AMEMBASSY TOKYO 5354

UNCLAS STATE 119894

E.O. 11652 N/A

TAGS:

SUBJECT: POSSIBLE FCMA VIOLATION JA STRL KOSHIN NR 21 HANCOCK
SEAMOUNT

FOL RPT CCGDFOURTEEN HONO HI DTG 061134Z MAY 78 SENT ACTION
COMDT COGARD WASHDC INFO COMPACAREA COGARD SAN FRAN CA,
SECSTATE, NMFS WASHDC, NMFS SOUTHWEST REG TERMINAL ISLAND CA,
NMFS HONO HI, COMTHIRDFLT, RCC MIDWAY ISLAND & COGARD AIRSTA
BARBERS PT HI

QUOTE: UNCLAS
D TO G-O
POSSIBLE FCMA VIOLATION JA STRL KOSHIN NR 21 HANCOCK SEAMOUNT
SITSUM FIVE REQUEST FOR STATEMENT OF NO OBJECTION.
A. CCGDFOURTEEN HONOLULU HI 050310Z MAY 78
B. CCGDFOURTEEN HONOLULU HI 051025Z MAY 78
C. CCGDFOURTEEN HONOLULU HI 051625Z MAY 78
D. CCGDFOURTEEN HONOLULU HI 052153Z MAY 78
E. NAVSTA MIDWAY 060030Z MAY 78 NOTAL
F. NAVSTA MIDWAY 060619Z MAY 78 NOTAL
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1. SITUATION.
 - A. BOARDING PARTY (CG AND NMFS) BOARDED SNV 052240Z MAY 78.
SITUATION BASED ON PRELIM INVEST.
 - B. NO FISH ON BOARD. SMALL PIECES OF BAMBOO CORAL, PINK
CORAL OF UNKNOWN AGE, AND PIECES OF FISH FOUND ON WHARF (FISHING
DECK).
 - C. PREVIOUSLY REPORTED FULL, COVERED BINS CONTAIN FISHING

GEAR. SIGNIFICANT AMOUNT OF GEAR SHIFTED FROM INITIAL SIGHTING TO CURRENT STOWED POSITIONS. TRAWL REMOVED FROM PRIOR WHARF POSITION AND STORED.

D. RESPONSE BY SHIP MASTER AND CREWMEMBER TO INITIAL INQUIRES INDICATED RESEARCHING FOR FISH. MIRANDA RIGHTS GIVEN MASTER AFTER INITIAL STATEMENT SNV WAS RESEARCHING. MASTER APPARENTLY CONTACTED OWNER, WATAKAI CO. ALSO INDICATED HE DESIRED LAWYER.

E. SHIPS MASTER, MIURU MIKIO, INDICATED HE BELIEVED FCZ MEASURED FROM MIDWAY. SNV CHART SHOWS 200 NM ARC INSCRIBED PLOTTED FROM MIDWAY. WHAT APPEARS TO BE A POSITION IS PLOTTED WITHIN THIS ARC 29-40.0N 179-43.0E AT TIME 1306 (-9I) WITH NO DATE. CG ACFT INITIALLY OBSERVED SNV AT 29-47.3N 179-03.1E ON 142310Z MAY 78. ACCURACY OF INITIAL POSIT DETERMINED BY ACFT INS VERIFIED UPON SUBSEQUENT RETURN TO MIDWAY.

F. FOLLOWING LOGS WERE SEIZED FROM SNV BY S/A STREETER.

1. BRIDGE LOG.
2. FISHING REPORT.
3. FISHING DIARY.

CONTENTS OF LOGS SET FORTH IN REF F. BOARDING PARTY INDICATES SNV DOES NOT HAVE NAVIGATION LOG.

G. NO FATHOMETER RECORDS. MASTER ADVISES THEY ARE ROUTINELY DESTROYED AFTER EACH ROLL USED. ERASURES EVIDENT IN LOGS.

H. NO PERMIT ON BOARD. MASTER STATED HE DID NOT HAVE PERMIT. INFO FROM COMDT SHOWS 1978 PERMIT #525 ISSUED SNV FOR BEARING SEA/ALEUTIANS.

I. SNV HAS SOPHISTICATED NAV EQUIP INCLUDING SATELLITE, OMEGA, UNCLASSIFIED

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LORAN C.

J. LOGGED POSITS SHOW TREND OF MOVEMENT PAST EMPEROR SEAMOUNT ON COURSE FOR HANCOCK SEAMOUNT.

K. NMFS AGENT STREETER ADVISES MASTER EVASIVE AND PLAYING DUMB.

L. SNV ATTEMPTED TO AVOID CG ACFT 1349 ON 5 MAY 78 WHEN OVERFLOWN ON INITIAL CONTACT APPARENTLY FLEEING. SNV HEADED IN WESTERLY DIRECTION FOR APPROX 5 MILES.

M. PHONCON WITH S/A STREETER INDICATED THAT MASTER OF SNV STATED THAT HE WAS GOOD FRIENDS WITH MASTER OF RYUYO MARU NO2 SINCE VSLs WERE CLOSE TO EACH OTHER WHEN SIGHTED BY CG ACFT. PROBABLE THAT MASTER OF SNV COMMUNICATED WITH MASTER OF RYUYO MARU NO 2 WITH U.S. OBSERVER ABOARD AT APPROX 1000 ON 4 MAY 78. POSSIBLE THAT RYUYO MARU NO2 WARNED SNV TO DISPOSE OF CATCH AND/OR HIDE FISHING GEAR.

N. OVERFLIGHT INFO INDICATED GEAR COULD HAVE BEEN READILY DEPLOYED FOR TRAWL. SONAR PROBE NOT IN WATER UPON OVERFLIGHT.
2. RECOMMENDATIONS AND FUTURE PLANS.

A. SNV PRESENTLY ANCHORED MIDWAY. INSPECTION TO CONTINUE MORNING 6 MAY DUE NAVY TRANSP ARRANGEMENTS.

B. IN VIEW OF INFO IN REFS A THROUGH F, AND FURTHER INVESTIGATION RESULTS, BELIEVE SNV KNOWINGLY WITHIN FCZ AND SEARCHING FOR FISH.

BOARDING OFFICER AND NMFS AGENT CONCUR AND BELIEVE SNV WOULD HAVE TAKEN FISH GIVEN OTHER DEVELOPMENTS. SINCE ACTIVITIES OF SNV FALL WITHIN DEFINITION OF FISHING, 16 USC 1802 (10) AND 50 CFR 611.2(P)(2), REQUEST STATEMENT OF NO OBJECTION FOR SEIZURE. VIOLATION: 16 USC 1857 (2)(B). NMFS HONOLULU AND SOUTHWEST REGION CONCUR.

C. IF STATEMENT OF NO OBJECTION IS ISSUED INTEND TO TRANSPORT CUSTODY CREW TO MIDWAY TO SAIL VSL TO HONOLULU FOR FURTHER PROCEEDINGS. UNQUOTE VANCE

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Message Attributes

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Disposition Approved on Date:
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Disposition Date: 01 jan 1960
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Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Review Release Date: n/a
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Review Withdrawn Fields: n/a
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Subject: POSSIBLE FCMA VIOLATION JA STRL KOSHIN NR 21 HANCOCK SEAMOUNT FOL RPT CCGDFOURTEEN HONO HI DTG 061134Z MAY 78 SE
TAGS: EWWT
To: TOKYO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/cf108ea0-c288-dd11-92da-001cc4696bcc
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